

Message

From: Fallon, Gail [fallon.gail@epa.gov]
Sent: 10/10/2018 7:36:17 PM
To: Law, Donald [Law.Donald@epa.gov]; Wauters, Patrick [wauters.patrick@epa.gov]
Subject: FW: Past work on Coyote Station source determination
Attachments: Coyote Creek - ND response 01-21-2016.pdf; December letter from Voigts to EPA.pdf

From: Denawa, Mai
Sent: Wednesday, October 10, 2018 10:06 AM
To: Laumann, Sara <Laumann.Sara@epa.gov>; Fallon, Gail <fallon.gail@epa.gov>
Subject: RE: Past work on Coyote Station source determination

Yes, we had a conference call with ND that was captured in a letter that ND sent. **Ex. 5 Attorney Client (AC)**

Ex. 5 Attorney Client (AC)

The Voigts had also sent EPA a letter (it was not a Notice of Intent to Sue but I think it was more of a heads up to EPA that the Voigts intended to raise the issue with the state and Coyote Creek). I've also attached it here.

Let me know if you'd like to further discuss.

From: Laumann, Sara
Sent: Wednesday, October 10, 2018 10:00 AM
To: Fallon, Gail <fallon.gail@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>
Subject: RE: Past work on Coyote Station source determination

Mai

Did we end up sending them a letter or email, or have an official conversation?

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

Sara L. Laumann • Senior Assistant Regional Counsel • US EPA Region 8 • (303) 312-6443

From: Fallon, Gail
Sent: Wednesday, October 10, 2018 9:58 AM
To: Denawa, Mai <Denawa.Mai@epa.gov>; Laumann, Sara <Laumann.Sara@epa.gov>
Subject: RE: Past work on Coyote Station source determination

Ex. 5 Attorney Client (AC)

Gail

From: Denawa, Mai
Sent: Wednesday, October 10, 2018 9:43 AM
To: Laumann, Sara <Laumann.Sara@epa.gov>; Fallon, Gail <fallon.gail@epa.gov>
Subject: RE: Past work on Coyote Station source determination

Hi Gail and Sara,

Yes—Steve and I worked on the issue of the state's issuance of a minor source permit instead of a major source permit related to one of Coyote Creek's mines in North Dakota. The issue was

Ex. 5 Attorney Client (AC)

The District Court of North Dakota issued a decision and I have attached the summary of it here in case Sara hasn't seen it yet.

Please let me know if you have any other questions or if I can help further.

Thanks,
Mai

From: Laumann, Sara
Sent: Tuesday, October 9, 2018 6:16 PM
To: Fallon, Gail <fallon.gail@epa.gov>
Cc: Denawa, Mai <Denawa.Mai@epa.gov>
Subject: RE: Past work on Coyote Station source determination

Hi Gail

Ex. 5 Attorney Client (AC)

believe Mai was involved in the more recent issues, so I'm copying her here.

-Sara

Sara L. Laumann • Senior Assistant Regional Counsel • US EPA Region 8 • (303) 312-6443

From: Fallon, Gail
Sent: Tuesday, October 9, 2018 5:16 PM
To: Laumann, Sara <Laumann.Sara@epa.gov>
Subject: Past work on Coyote Station source determination

Hi Sara – This is about the ND request for EPA's position on common control for Coyote Station and the Coyote Creek Mine. Patrick is out on vacation this week and DJ is pitching in while he's out. Patrick was not able to find anything in his cubicle files on a past Coyote power plant source determination that Mike Owens may have been involved with. We plan to keep checking in the Records Center and have provided a few state documents to OAQPS. **Ex. 5 Attorney Client (AC)**

Ex. 5 Attorney Client (AC)

I wasn't sure when to pull you in. I thought we might wait until things progress a bit with OAQPS first to help focus your efforts.

Thanks!

Gail

Gail Fallon

Acting Air Permitting and Monitoring Unit Chief

EPA Region 8

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